



SIGNED THIS 7th day of March, 2024

THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.

Rebecca B. Connelly

Rebecca B. Connelly
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

In re:

RALPH LEON HAYES,
Debtor.

Chapter 13
Case No. 23-61366

DISMISSAL ORDER

On December 14, 2023, Ralph Leon Hayes filed a voluntary chapter 13 petition *pro se*. It was the sixth time he filed a voluntary bankruptcy petition in this Court, and the fourth time in just the last eighteen months. As in prior cases, Mr. Hayes has refused to comply with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and this Court's orders. Based on such failures, the chapter 13 trustee and the U.S. Trustee filed motions to dismiss this case with a 365-day bar on filing any new petition. In response, Mr. Hayes filed various motions.

Based on the record, and for the reasons explained in the Court's Memorandum Opinion issued contemporaneously with this Order, the Court finds cause to dismiss this case. *See* 11 U.S.C. § 1307(c). In addition, the Court concludes it is appropriate to condition dismissal with a bar on refiling any bankruptcy petition for a period of 365 days. *See* 11 U.S.C. § 349(a). It is

ORDERED

That the motion to extend time to pay the filing fee or, in the alternative, to proceed in forma pauperis, ECF Doc. No. 64, is **DENIED**. It is further

ORDERED

That the motion to extend time to file schedules and statements, ECF Doc. No. 66, is
DENIED. It is further

ORDERED

That the motion to extend the automatic stay, ECF Doc. No. 66, is **DENIED**. It is further
ORDERED

That the motion to continue the hearings on the motions to dismiss, ECF Doc. No. 67, is
DENIED. It is further

ORDERED

That the case is **DISMISSED**. It is further

ORDERED

That the motions to dismiss filed by the chapter 13 trustee and the U.S. Trustee, ECF Doc. Nos. 20, 27, are **GRANTED**, and Ralph Leon Hayes is hereby prohibited from filing a new petition in this Court under any chapter for a period of 365 days from the date of this Order. It is further

ORDERED

That upon the trustee filing a final report herein, the same shall be deemed approved without further order, trustee's bond shall be released and the trustee shall be discharged from further liability herein unless proper objection is made to said final report within thirty (30) days after filing of same or such extended time as may be granted upon proper application made within said thirty (30) day period.

Copies of this Order are directed to be sent to the debtor by email at raf.hayes@gmail.com and by first class mail to 1107 Ashburn Drive, Forest, Virginia, the chapter 13 trustee; the Office of the United States Trustee; and all creditors and parties in interest on the mailing matrix.

End of Order

United States Bankruptcy Court
Western District of Virginia

In re:
Ralph Leon Hayes
Debtor

Case No. 23-61366-rbc
Chapter 13

District/off: 0423-6
Date Rcvd: Mar 07, 2024

User: admin
Form ID: pdf003

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 09, 2024:

Recip ID	Recipient Name and Address
db	+ Ralph Leon Hayes, 1107 Ashburn Drive, Forest, VA 24551-4392 + Margaret K Garber, U S Trustee's Office, 210 First St - Ste 505, Roanoke, VA 24011-1620

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 09, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 7, 2024 at the address(es) listed below:

Name	Email Address
Angela M. Scolforo (499275)	on behalf of Trustee Angela M. Scolforo (499275) ascolforo@cvillech13.net
Angela M. Scolforo (499275)	ascolforo@cvillech13.net
David M. Barnes, Jr.	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity, but solely as Trustee of LSF10 Master Participation Trust david.barnes@nelsonmullins.com, robert.ours@nelsonmullins.com
Margaret K Garber	Margaret.K.Garber@usdoj.gov USTPRegion04.RN. ECF@usdoj.gov
Shannon T Morgan	on behalf of Trustee Angela M. Scolforo (499275) smorgan@cvillech13.net

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USTrustee

USTPRegion04.RN.EDCF@usdoj.gov

TOTAL: 6